

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

**IN RE RODNEY JOSEPH DYESS and
CANDACE JANETTE DYESS**

**CHAPTER 13
Case No. 25-50713-KMS**

TRUSTEE'S MOTION TO DISMISS DEBTOR, RODNEY JOSEPH DYESS

COMES NOW the Chapter 13 Trustee, by and through undersigned counsel, and files this Motion to Dismiss Debtor, Rodney Joseph Dyess, and in support hereof, would show unto this Honorable Court the following, to-wit:

1.

This Court has jurisdiction over this matter pursuant to 28 U.S.C. §1334. This is a core proceeding pursuant to 28 U.S.C. §157(b).

2.

The Debtors filed for relief under Chapter 13 on May 14th, 2025. Debtors' §341 was held June 13th, 2025.

3.

On June 17th, 2025, the Internal Revenue Service filed proof of claim no. 22-1. The claim reflects an unfiled 2024 federal income tax return for Debtor, Rodney Joseph Dyess.

4.

Based upon the foregoing, the Trustee moves to dismiss Debtor, Rodney Joseph Dyess from this case in accordance with 11 U.S.C. §1307(e).

WHEREFORE, PREMISES CONSIDERED, the Trustee prays that this Motion to Dismiss be received and filed and that an order be entered dismissing Rodney Joseph Dyess from the instant Chapter 13 case, and prays for such other, further, and general relief to which the Trustee may be entitled.

DATED, this the 4th day of August 2025.

Respectfully submitted,


s/

PHILLIP BRENT DUNAWAY
MS Bar No. 100443

CERTIFICATE OF SERVICE

I, PHILLIP BRENT DUNNAWAY, Attorney for the Chapter 13 Trustee, do hereby certify that I have served electronically, a true and correct copy of the above and foregoing Trustee's Motion to Dismiss to:

David Asbach, Esq., United States Trustee

USTPRegion05.JA.ECF@usdoj.gov

T.C. Rollins, Esq., Attorney for Debtors

trollins@therollinsfirm.com

DATED this the 4th day of August 2025.

/s/ 

PHILLIP BRENT DUNNAWAY
MS Bar No. 100443

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